

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN WALLACE,
Plaintiff,
v.
UNKNOWN,
Defendant.

Case No. 15-mc-80263-DMR

ORDER DISMISSING COMPLAINT

Re: Dkt. No. 1

On November 2, 2015, the court received a complaint from John William Wallace. Docket No. 1. This filing is subject to the pre-filing review Order entered by Judge Fern M. Smith that requires judicial permission for any new cases that Mr. Wallace files with this court. *Wallace v. United States Government*, 04-cv-01147-FMS, Docket No. 21. Mr. Wallace filed twelve separate cases in this court that were dismissed and closed between June 4, 2004 and August 18, 2004. *Id.* The court determined that Mr. Wallace had failed to raise any actionable claims in those cases and issued a pre-filing order. *Id.*

Upon review of the complaint filed by Mr. Wallace in the present case, the court finds that Mr. Wallace does not state a cognizable cause of action. The complaint consists of four pages. The first page is completely covered in a handwritten list of words, numbers, and symbols, but does not include any complete sentences. The second page is a copy of a 7-Eleven PaySlip for \$7.75. The third and fourth pages appear to be a request to pay a transit ticket for failure to display a receipt that has been covered in handwritten notes. Handwriting on the ticket states "Owner. Retired. Disabled. To Sue Owner Is Punishment By Death: Warning: Order to Dismiss: Order to Proceed: Stay of Execution." Docket No. 1 at 3. The fourth page is also covered in a handwritten list of words and symbols, but does not include any complete sentences or factual allegations to support a claim. The complaint does not state a cognizable cause of action. In light

1 of the pre-filing Order, the court finds that the complaint at Docket No. 1 should not be filed. The
2 Clerk shall not file this complaint and is ORDERED to return it to Mr. Wallace.

3
4 **IT IS SO ORDERED.**

5 Dated: December 3, 2015



Donna M. Ryu
United States Magistrate Judge